

**EDMUND G. BROWN JR.**  
*Attorney General*

*State of California*  
**DEPARTMENT OF JUSTICE**



1515 CLAY STREET, 20<sup>TH</sup> FLOOR  
P.O. BOX 70550  
OAKLAND, CA 94612-0550

Public: (510) 622-2100  
Telephone: (510) 622-2115  
Facsimile: (510) 622-2270  
E-Mail: Courtney.Lui@doj.ca.gov

August 15, 2008

Honorable Sandra Brown Armstrong  
United State District Court  
Northern District of California  
1301 Clay Street, Suite 400 S  
Oakland, CA 94612-5212

RE: Robin Wilson v. CDCR, et al.  
United States District Court, Northern District of California, Case No. CV 08 3358 SBA

Your Honor:

I am writing pursuant to the Court's July 30, 2008 Order proposing to reassign this case to Magistrate Judge Nandor J. Vadas in Eureka, CA.

My clients, the California Department of Corrections and Rehabilitation ("CDCR") and its facility Pelican Bay State Prison, decline to consent to magistrate jurisdiction. (F.R.Civ.P Rule 73(b)(2).) I have written to Plaintiff's counsel, Ms. Amanda Uhrhammer, Esq., to inform her of the CDCR's preference for an Article III judge to preside over this matter. (See, attached letter dated August 1, 2008.)

The CDCR will work to ensure the least inconvenience to the parties and witnesses as this case progresses.

Sincerely,

A handwritten signature in black ink, appearing to read "Courtney S. Lui", is written over a faint, larger signature.

COURTNEY S. LUI  
Deputy Attorney General

For EDMUND G. BROWN JR.  
Attorney General of California

CSL:  
Enclosure

EDMUND G. BROWN JR.  
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August 1, 2008

**VIA FACSIMILE AND MAIL (916-447-4614)**

Amanda Uhrhammer, Esq.  
Mastagni, Holdstedt, Amick, Miller, Johnsen & Uhrhammer  
1912 "I" Street  
Sacramento, CA 95814

RE: *Robin Wilson v. CDCR, et al.*  
U.S. District Court, Northern District of California, Case No. CV08-3358 (EMC)

Dear Ms. Uhrhammer:

Pursuant to the Order issued on July 30, 2008 by Judge Armstrong, I am writing to confer with you regarding the court's proposal to reassign this case to Magistrate Judge Nandor J. Vadas in Eureka, CA.

My client, the California Dept. of Corrections and Rehabilitation, declines to consent to magistrate jurisdiction, and elects to have this case presided over by an Article III judge. We thus exercise our right under Federal Rules of Civil Procedure Rule 73(b)(2) to withhold consent to a magistrate reassignment.

The CDCR will work to ensure the greatest convenience to the parties and any potential witnesses in terms of scheduling, locations, etc. as this case proceeds.

Thank you very much.

Sincerely,

A handwritten signature in black ink, which appears to read "Courtney S. Lui", is written over the typed name.

COURTNEY S. LUI  
Deputy Attorney General  
EDMUND G. BROWN JR.  
Attorney General

For

CSL: